

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MUHLENBERG COLLEGE,

Plaintiff,

v.

SPORTSWEAR, INC.,
doing business as
PREP SPORTSWEAR,

Defendant.

CIVIL ACTION
NO. 13-7197

ORDER

AND NOW, this 18th day of February, 2015, upon consideration of Defendant's Motion for Partial Summary Judgment Regarding Incontestable Status of Muhlenberg Word Mark (Doc. #39) and Defendant's Motion for Leave to Amend to Add Counterclaim for Cancellation of Registration (Doc. #40), and all supporting and opposing papers, it is hereby **ORDERED** as follows:

1. Defendant's Motion for Partial Summary Judgment Regarding Incontestable Status of Muhlenberg Word Mark (Doc. #39) is **DENIED**.
2. Defendant's Motion for Leave to Amend to Add Counterclaim for Cancellation of Registration (Doc. #40) is **GRANTED**, and the Clerk's office shall docket Defendant's amended answer with affirmative defenses and counterclaim (Exhibit B to Doc. #40).

BY THE COURT:

/s/ **Jeffrey L. Schmehl**
Jeffrey L. Schmehl, J.